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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,385	07/09/2002	Stone Cheng	9141-US-PA	4026
31561 7590 08/29/2007 JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			EXAMINER HAN, QI	
			ART UNIT 2626	PAPER NUMBER
			NOTIFICATION DATE 08/29/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/064,385	Applicant(s) CHENG ET AL.	
	Examiner Qi Han	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Response to Amendment

3. This communication is responsive to the applicant's amendment and RCE examination both filed on 03/14/2007. The applicant(s) amended claims 1-4, 6 and 10-11, and added new claims 18-21 (see the amendment: pages 4-7).

Response to Arguments

4. Applicant's arguments filed on 03/14/2007 with respect to the claim rejection under 35 USC 102/103, have been fully considered but are moot in view of the new ground(s) of rejection, since the amended claims introduce new issue and/or change the scope of the claims (see detail below).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 7, 9, 15, 17 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 7, the limitation “**the external language file comprises a plurality of external language files**” introduces new subject matter, because the limitation is not specifically disclosed in the original specification.

Regarding claim 9, the limitation “**the operation system comprises a plurality of operation systems**” introduces new subject matter, because the limitation is not specifically disclosed in the original specification.

Regarding claims 15 and 20, the rejection is based on the same reason described for claim 7, because the claims 15 and 20 include the same or similar problematic limitation as claim 7.

Regarding claim 17, the rejection is based on the same reason described for claim 9, because the claim 17 includes the same or similar problematic limitation as claim 9.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7, 9, 15, 17 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, the limitation "**the** external language file comprises **a plurality of** external language files" is indefinite, because it is logically incorrect/confused and lacks specific description in the original specification.

Regarding claim 9, the limitation "**the** operation system comprises **a plurality of** operation systems" is indefinite, because it is logically incorrect and/or confused and lacks specific description in the original specification.

Regarding claims 15 and 20, the rejection is based on the same reason described for claim 7, because the claims 15 and 20 include the same or similar problematic limitation as claim 7.

Regarding claim 17, the rejection is based on the same reason described for claim 9, because the claim 17 includes the same or similar problematic limitation as claim 9.

In addition, claim 17 recites the limitation "**the** operating system comprise..." There is insufficient antecedent basis for this limitation in the claim. As best understood, the claim will be interpreted as "the apparatuses of claim 16 (not 10), ..." hereinafter.

Claim Rejections - 35 USC § 103

7. Claims 1-4, 6-8, 10-16 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over HETHERINGTON (US 6,396,515 B1) hereinafter referenced as HETHERINGTON.

As per **claim 1**, HETHERINGTON discloses ‘mother, system and computer program product for dynamic language switching in user interface menu, help text, and dialogs’ (title), comprising:

“starting an application on the computer system, the application having a user interface drawn in a first language” (col. 2, lines 42-46, ‘one or more language-specific files containing all user interface text for an application may be dynamically selected during initialization (starting of the application’);

“receiving a selection of a second language from among a plurality of languages” (col. 2, lines 48-51, ‘if a language change request (selection) is received’, which reads on the claimed limitation; also see col. 3, lines 65-67);

“in response to the receiving, identifying an [external] language file associated with the second language, the [external] language file including a plurality of language strings” (col. 2, lines 48-51, ‘the user interface may be reloaded with text (language strings) supplied from a different language-specific file pursuant to the language change request (identified language-specific file)’; also see col. 5, lines 29-37); and

“redrawing the user interface in the second language by replacing the first language with one or more of the language strings of the [external] language file without closing the application” (col. 4, lines 9-39, ‘only the presentation of the information within the user interface

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is changed (redrawing/replacing)'; 'changes in user interface text (one or more of the language strings) may be achieved dynamically without shutting down (closing) the underlying application...' and 'change user interface display (redrawing) languages on the fly...').

HETHERINGTON does not **expressly** disclose whether the language file (stated above) is **external** or not. However, HETHERINGTON further discloses 'displaying dialogs... help text, and other text-based user interface components', 'the appropriate user-interface text-storage object version may be selected at run time from a library of resource files' (col. 4, lines 61-67), and the system includes 'peripheral devices such as nonvolatile storage, which may be a harddisk drive' and 'might also include a compact disk' (col. 3, lines 25-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that a user-interface text-storage object (file) from a library of resource files can be stored in a hard disk or a compact disk, so that the file (and the library files) would be either internal or external file, because Hetherington's invention 'applies equally regardless of the particular type of signal bearing medium used to actually carry out the distribution' (HETHERINGTON: col. 5, lines 40-51).

As per **claim 2** (depending on claim 1), HETHERINGTON further discloses that "redrawing said user interface by replacing portions of the first language with at least one language string" (as stated in claim 1; also see col. 4, lines 61-67).

As per **claim 3** (depending on claim 1), HETHERINGTON further discloses that "modifying the language strings to comply with the desired second language in response to an absence of a language string associated with the second language" (as stated in claim 1, see col. 4, lines 9-10, wherein changes of representation of the information in one language to another

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language is inherently in response to an absence of a language string with the second language, otherwise, there would not be a need to select the language-specific components for different languages).

As per **claim 4** (depending on claim 1), the rejection is based on the same reason described for claim 3, because the claim recites the same or similar limitation(s) as claim 6.

As per **claim 6** (depending on claim 1), HETHERINGTON further discloses that “the plurality of language strings comprise words” (Figs. 2C-2D and col. 3, lines 59-56-62, ‘help text (including words)’).

As per **claim 7** (depending on claim 1), as best understood in view of claim rejection under 35 USC 112 1st and 2nd, see above, HETHERINGTON further discloses “a plurality of external language files” (col. 3, lines 65-67, ‘language-specific components are selected from a library of different versions of the language-specific components for various languages’; col. 4, lines 61-67, ‘the appropriate user-interface text-storage object version may be selected at run time from a library of resource files’; col. 5, lines 15-18, ‘user interface text files maybe selected’ and ‘the user interface text should be implemented within separate software component, such as a dynamic-link library file’).

As per **claim 8** (depending on claim 1), HETHERINGTON further discloses that “the application is operated on an operating system” (Fig. 2A, blocks 202 and 204).

As per **claims 10-16**, they recite apparatus. The rejection is based on the same reason used for method claims 1-4 and 6-8 because the claims recite the same or similar limitations as claims 1-4 and 6-8 respectively.

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As per **claims 18-21**, the rejection is based on the same reason described for claims 1 and 6-8, because it also reads on the same or similar limitations of claims 18-21 respectively.

8. Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over HETHERINGTON as applied to claims 8 and 16 above, and further in view of CHOU (US 5,583,761).

As per **claim 9** (depending on claim 8), as best understood in view of claim rejection under 35 USC 112 1st and 2nd, see above, HETHERINGTON does not expressly disclose “a plurality of operating systems”. However, the feature was well known in the art as evidenced by CHOU who discloses ‘method for automatic displaying program presentations in different languages’ (title), comprising using GUI and/or text-based application for a variety of operating systems (such as OS/2, Windows and Unix) (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify HETHERINGTON’s user interface with CHOU’s automatic displaying program on different operating system platforms, for the purpose (motivation) of offering flexibility to work with different operating systems for the user, thus an application can be text based and/or graphic based for the presentation or display (CHOU: Abstract and col. 1, lines 13-21).

As per **claim 17**, as best understood in view of claim rejection under 35 USC 2nd (see above), the rejection is based on the same reason described for claim 9, because the claim recites the same or similar limitations of claim 9.



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER

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Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (571) 272-7604. The examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

QH/qh
August 21, 2007